

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA, LLC d/b/a/ IXO,

Plaintiff,

v.

CME GROUP INC., ET AL.,

Defendants.

§
§
§
§
§
§
§
§

Civil Action No. 6:09cv327-LED-JDL

JURY TRIAL DEMANDED

**ORDER ADOPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration (Doc. No. 223). The parties have made no objections to the Report and Recommendations. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is **ORDERED** that Defendants CME Group, Inc., New York Mercantile Exchange, and Board of Trade of the City of Chicago, Inc.'s Motion to Dismiss for Failure to State a Claim (Doc. No. 65) be **GRANTED in part**.

So ORDERED and SIGNED this 21st day of June, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**